IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

COMPANY APPLICATION NO.79 OF 2005
IN
COMPANY PETITION NO.892 OF 2000

Oman International Bank S.A.O.G. ...Applicants/ Petitioners

Versus

Iridium India Telecom Ltd. ...Respondents

.....

Mr.Shekhar Shetye with Mr.Karl Shroff & Mr.Ajay Khaire i/b M/s.M.S.Bodhanwalla & Co. for Applicants/Petitioners.

Mr.Rohit Kapadia, Sr.Counsel with Mr.V.R.Dhond i/b Negandhi, Shah & Himayatullah for Respondents.

Mr.Birendra Saraf i/b Ms.Lubna Vohra for IL & LS Creditors.

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**CORAM: A.M.KHANWILKAR, J.**

**DECEMBER 19, 2007.**

**P.C.**

1. As this Application has remained pending since 2005 and the Applicants have not taken steps to move the Court for inviting appropriate directions, it is obvious that there is no urgency involved. My attention is invited to order dated

August 12, 2005. It is common ground that pursuant to that order, the main matter was required to be listed for hearing on 21st August 2005. There is nothing on record to indicate that whether the main matter was actually listed on that date. Assuming that it was not listed as per the order of the Court, nothing prevented the Applicants/Petitioners to move the Court immediately thereafter.

2. Today, the present Application has been listed in view of the common order passed by this Court directing listing of all the pending Applications lying in the Registry undated.

3. Suffice it to observe that there is no immediate urgency to examine the relief claimed in the present Application.

4. At present, Company Petitions for hearing upto year 1999 are already included in the weekly board. The main Company Petition in the present case is of the year 2000, which means that it will be soon included in the weekly board after the reopening of the Court.

5. In the circumstances, this Application is disposed of.

6. It is not necessary for me to examine the contention pressed into service on behalf of the Respondent Company that similar prayer was rejected on the earlier occasion after considering all aspects of the matter.

7. Respondent Company through Counsel waives notice of the main proceedings being Company Petition No.892 of 2000.

A.M.KHANWILKAR, J.